

1 G. HOPKINS GUY, III (State Bar No. 124811)
2 I. NEEL CHATTERJEE (State Bar No. 173985)
3 MONTE COOPER (State Bar No. 196746)
4 THERESA A. SUTTON (State Bar No. 211857)
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: 650-614-7400
Facsimile: 650-614-7401

6 Attorneys for Plaintiff
7 Facebook, Inc.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 FACEBOOK, INC.,

13 Plaintiff,

14 v.

15 CONNECTU LLC, PACIFIC NORTHWEST
16 SOFTWARE and WINSTON WILLIAMS,

17 Defendants.
18
19
20
21
22
23
24
25
26
27
28

Case No. 5:07-CV-01389-RS

**DECLARATION OF I. NEEL
CHATTERJEE IN SUPPORT OF
FACEBOOK'S MOTION FOR
EXPEDITED DISCOVERY RE
PERSONAL JURISDICTION**

Date: May 16, 2007
Time: 9:30 A.M.
Dept.: 4
Judge: Honorable Richard Seeborg

1 I, Neel Chatterjee, declare as follows:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP,
3 counsel for Plaintiff The Facebook, Inc. I make this Declaration in support of Facebook's Motion
4 for Expedited Discovery re Personal Jurisdiction. I am an active member in good standing of the
5 California State Bar. I have personal knowledge of the facts stated herein and if called as a
6 witness, could and would competently testify thereto.

7 2. Facebook, Inc., headquartered in Palo Alto, California, developed and
8 operates one of the most popular online "social networks" on the Internet, www.facebook.com, in
9 which college students and alumni interact with one another based upon existing friendships,
10 collegiate allegiances, and common interests. *See* <http://www.facebook.com>.

11 3. ConnectU LLC, now a defunct Delaware Limited Liability Company,
12 operates a largely unsuccessful competing website called www.connectu.com. In December
13 2004, and at all times thereafter, Facebook was in Palo Alto. ConnectU was aware of this fact
14 and alleged as much in a related case in the District of Massachusetts.

15 4. After a half-year of discovery in both the California action and a parallel
16 lawsuit filed by ConnectU against Facebook in the District of Massachusetts, Facebook learned
17 sufficient facts to determine what roles PNS and Williams had played in the spamming of its
18 website users.

19 5. Attached hereto as **Exhibit A** is a true and correct copy of relevant excerpts
20 of the January 16, 2006 deposition of ConnectU LLC. **[FILED UNDER SEAL.]**

21 6. Attached hereto as **Exhibit B** is a true and correct copy of relevant excerpts
22 of the August 9, 2005 deposition of ConnectU LLC.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

